# CLEARINGHOUSE RULE 96−020

# Comments

[<u>NOTE</u>: All citations to "Manual" in the comments below are to the <u>Administrative Rules Procedures Manual</u>, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

## *1. Statutory Authority*

Section NR 10.117 (3) and (4) continue and modify a provision in current rules which allows the department to modify certain deer hunting rules in specified circumstances. The modification is effective upon issuance of an order by the department and publication of the order in the official state newspaper.

Modification of an existing rule is undertaken through a proposed rule. Will the department's order under s. NR 10.117 be an emergency rule-making order? If so, the rule should state this and cite s. 29.174 (4a), Stats. The department has emergency rule-making authority under that statute. The Rules Clearinghouse made a similar comment in its report on Clearinghouse Rule 85-66, which created s. NR 10.117. [A copy of that report is attached.]

## *2. Form, Style and Placement in Administrative Code*

a. The analysis to the rule does contain "sufficient detail" with respect to the deer season modifications to allow the reader to understand the changes. [See s. 1.02 (2) (b), Manual.]

b. The fiscal estimate does not contain any estimate of fiscal effect of the deer season modifications.

c. In s. NR 10.117 (1), "(a)" should be inserted after the subsection title and what is labeled par. (a) should become par. (b).

     d.  In s. NR 10.117 (1) and (2), all of the subunits should end with periods, except the introductory material which ends with colons.  The semicolons and the final words "or" or "and" should be replaced by periods.  In sub. (2) (intro.), "all of the following" should be inserted before the colon.

Attachment